

Irrigated Lands Conditional Waiver Program

Phase I Monitoring Status

UC Davis completed and submitted a draft Phase I report for review and comment. The draft report was sent to the Technical Advisory Committee (TAC) and the Coalition Groups for review and comment. A meeting was held on 10 November 2004 to discuss a summary of the report and receive comments from the TAC and the Coalition Groups. The final report will be posted on the Regional Board web page within the next few weeks.

Phase II Monitoring

The Phase II Monitoring Program for the 2004 Irrigation Season was completed on 16 August 2004 in the South San Joaquin River watersheds and on 16 September 2004 in the remaining watersheds. Thirty-two sites were monitored for toxicity and multiple chemical constituents. Sites were monitored five times during this monitoring season. Staff provided information to the Coalition Groups when toxicity was observed. The Phase II data will be posted on the Regional Board web site as soon as the final data are available. The Regional Board contractor will also enter this information into the SWAMP data management system. Regional Board staff is currently working with UC Davis staff to design monitoring sites for storm event monitoring. After a tentative list is prepared, staff will discuss the site list with the Coalition Groups to get their input.

Regional Board and UC Davis staff conducted a field check of Phase II monitoring sites in Colusa and Glenn counties. Representatives of Glen and Colusa subwatersheds requested this site visit. Staff addressed the subwatershed questions about the exact sampling location of the Regional Board monitoring sites in the Glenn and Colusa subwatersheds. The subwatershed representatives recommended new monitoring sites downstream of the current monitoring sites. Staff will be reviewing the land use and crop information and will consider these new sites when identifying monitoring sites for the next irrigation season.

Environmental Impact Report Status

Interviews with three environmental firms who were responsive to the Request for Qualifications were held in the Regional Board's Rancho Cordova office on 1 November 2004. The name of the top ranked firm will be announced prior to the Regional Board meeting. Staff expects to begin developing the scope of work and budget with the selected contractor prior to the Board meeting.

Post cards and Brochures

County Agricultural Commissioner's Information Request

Approximately 16,000 Irrigated Lands information postcards have been sent to growers with restricted use materials permits. These postcards outline the three regulatory options available to those discharging wastes from irrigated lands. In the past two months, additional permit holder information has been received from Glenn, Yolo, Solano, Stanislaus, Merced, and Alameda Counties, however, staff has not sent out postcards to these counties. Post cards will be sent to permit holders in these counties over the next two months.

Enforcement Strategy

Various parties have requested information on the enforcement strategy for non-filers. The March 2004 Staff Report presented factors that will be considered in developing the strategy. This strategy will need to be consistent with the State Water Resources Control Board's Water Quality Enforcement Policy and the Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program (20 May 2004). Regional Board staff will discuss enforcement strategy development at the Public Advisory Committee meeting on 22 November 2004.

Technical Issues Committee

The first meeting of the Conditional Waiver of Discharges from Irrigated Lands (Waiver) Technical Issues Committee (TIC) was held on 7 October 2004. The meeting was chaired by Dr. Longley, and attended by Al Brizard, Coalition Group representatives, environmental and agricultural interests, and Regional Board staff.

Dr. Longley reviewed the goals and objectives of the TIC, which include refining the Coalition Group monitoring programs by seeking input and facilitating discussion from recognized technical experts. The intent is to assist the Coalition Groups in ensuring that the data collected under their respective monitoring and reporting programs is scientifically sound and can be used to determine the impacts, if any, of waste discharges from irrigated lands to surface waters of the state.

Dr. Longley explained that the TIC would address only the technical issues with the Conditional Waivers and the associated Monitoring and Reporting Program Order. The Regional Board will speak to the policy issues related to the monitoring. He

provided examples of policy questions and technical questions to explain to the group the types of issues that will be addressed by the TIC.

The meeting attendees asked a number of questions. There was discussion with regard to the use of bioassessment as a water quality indicator tool. Dr. Longley requested members of the TIC to develop a focus group and to present their input and understanding of bioassessment at the next TIC meeting. A group will be addressing the identification and use of the appropriate types of containers for collecting samples for various analyses. Another group will also be addressing issues related to toxicity testing including what is toxicity, appropriate triggers for follow up work,, and what level of observed toxicity is significant. The next TIC is scheduled for 8 December 2004

Public Advisory Committee Meeting

On 27 September 2004, the third meeting of the Irrigated Lands Conditional Waiver Public Advisory Committee Meeting was held in Modesto. Agenda topics included Coalition Group updates on the status of Waiver activities and monitoring programs, staff review of the status of Watershed Evaluation Reports and Monitoring and Reporting Program Plan approvals, a discussion on what is a discharger, and a Regional Board outlook on the informational and administrative process needs for the potential development of a waiver for low threat discharges. The next Public Advisory Committee meeting is scheduled for 22 November 2004 in Modesto.

Watershed Working Lands Summit

On 26 and 27 October 2004, Tom Pinkos, Bill Croyle, Kelly Briggs, Rudy Schnagl and Karen Larsen participated in the Watershed Working Lands Summit sponsored by the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA) and the US EPA. A key goal of the Summit was to explore how agencies can address resource issues more efficiently and effectively through collaboration and partnerships. Participants included environmental agency representatives from states in the US EPA western regions and federal agencies, as well as resource management professionals, and agricultural industry and environmental group representatives. Representatives from California, Washington, Idaho, Utah, Montana, Wyoming, Colorado, Hawaii, Arizona, Iowa, New Mexico, Oregon, Ohio, Nevada, Texas, Maryland, and Washington DC were in attendance.

On 26 October, Celeste Cantu moderated a California case study panel that focused on the waivers for irrigated lands waste discharges adopted by the Central Coast and the Central Valley Regional Water Quality Control Boards. Board Chair Bob Schneider was on the panel and discussed the waivers in the Central Valley. Other panel members that shared perspectives on agriculture and the waivers in the Central Valley included David Corey (San Joaquin River Exchange Contractors Water Authority), Dennis Gudgel (Stanislaus County Agricultural Commissioner), Mike McElhiney (District Conservationist, Modesto Field Office, NRCS), and Tacy Currey (Solano County Resource Conservation District). Additional panel members included Alison Jones (Central Coast Regional Water Quality Control Board), Mary Bianchi (Cooperative Extension, San Luis Obispo County), Kristin Hughes (Sustainable Conservation) and Mark Cady (Community Alliance with Family Farmers).

Watershed Evaluation Reports (WER) and Monitoring and Reporting Program (MRP) Plans

Staff is in the process of finalizing their review of the WERs and MRP Plans submitted by each of the Coalition Groups and individuals as a condition of the Irrigated Lands Conditional Waivers. Updates on each of the Coalition Groups are provided below.

Sacramento Valley Water Quality Coalition (SVWQC)

A series of meetings and teleconferences have taken place between Regional Board staff and SVWQC representatives over the past two months. The SVWQC provided additional information and proposed modifications to its MRP Plan. A conditional approval of the SVWQC WER and MRP Plan was granted in mid November 2004. The SVWQC is working to integrate the monitoring efforts of a number of ongoing monitoring programs to characterize and evaluate agricultural drainage in an efficient manner. Some of the sites in these other programs comply with Waiver MRP Order Phase I requirements, while others do not. The Regional Board recognizes 14 sites as SVWQC MRP Plan Waiver Compliance Sites (i.e., sites that comply with the Waiver MRP Order Phase I requirements). Additionally, there are 12 sites the Regional Board recognizes as SVWQC MRP Plan Supplemental Monitoring Sites. Eight of these twelve supplemental sites can be recognized as Waiver Compliance Sites upon approval of the information the SVWQC is to submit on or before 15 December 2004 as a condition of the WER and MRP Plan conditional approval. Elements the SVWQC must submit on or before 15 December 2004 include:

- MRP Plan Quality Assurance Project Plan (QAPP) and an integration plan for the QAPPs from the other monitoring programs the SVWQC is relying upon;
- Additional information on monitoring in the Pit River/Upper Feather, Cow Creek and Napa County/Putah Creek Subwatersheds;

- Additional information on monitoring for CWA 303(d) listed constituents in the Colusa Basin Subwatershed, and proposed monitoring for the pesticides identified in the Sacramento and San Joaquin River Basins Basin Plan Pesticide Implementation Program;
- Additional information on the Natomas Cross Canal monitoring site location;
- Discussion as to how managed wetlands (public and private) within the watershed will be addressed and how monitoring to characterize discharges from these operations will be factored into the overall monitoring plan;
- Updated table of monitoring sites;
- Additional information on management practices implemented in the watershed;
- Clarifications on some of the maps.

San Joaquin Delta Water Quality Coalition (SJDWQC)

Regional Board staff received additional information on the Coalition WER & MRP Plan submittal on 9 September 2004. The Coalition informed staff that they will be working to identify additional monitoring sites in September. As of November 10, 2004, staff had not yet received a list of additional proposed monitoring sites. The Coalition will be determining a funding mechanism to support additional monitoring in the Coalition area.

Southern San Joaquin Valley Water Quality Coalition (SSJVWQC)

The Executive Officer approved the Watershed Evaluation Report and the Monitoring and Reporting Program Plan for the SSJVWQC on 16 September 2004.

East San Joaquin Water Quality Coalition (ESJWQC)

Regional Board staff received candidates monitoring sites on 29 October 2004. A meeting has been scheduled for 15 November 2004 to finalize the list of monitoring sites. The Coalition will be determining a funding mechanism to support monitoring at additional sites.

West Side San Joaquin River Watershed Coalition (WSJRWC)

The WSJRWC received Regional Board Executive Officer approval on its WER and MRP Plan for both the agricultural and wetlands subgroups on 7 October 2004.

Westlands Coalition

The Watershed Evaluation Report and the Monitoring and Reporting Program Plan for the Westlands Discharge Coalition were approved by the Executive Officer on 8 September 2004.

Root Creek Sub-Watershed Water Quality Coalition (RCWQC)

A draft approval letter for Root Creek's Watershed Evaluation Report and the Monitoring and Reporting Program Plan has been circulated, and approved on November 5 by the Executive Officer.

California Rice Commission (CRC)

Staff has completed a draft of the rice specific Monitoring and Reporting Program (MRP) Order for the California Rice Commission. The MRP Order has been reviewed by the CRC. Staff is finalizing the MRP Order and once finalized will recommend approval by the Executive Officer.

Water Districts

The Regional Board received Notices of Intent from the following five eastside water districts for coverage under the Individual Conditional Waiver (Waiver): Merced, Turlock, South San Joaquin, Oakdale and Modesto. Each district submitted a System Evaluation Plan and Proposed Monitoring and Reporting Program Plan

Each water district applied for coverage under the Waiver for the application of pesticides that are applied to their canal banks and operational structures for maintenance purposes (i.e. weed abatement and rodent control). The monitoring is designed to monitor operational spills and would only characterize waste discharges from pesticides applied in district maintenance activities.

Staff requested the following from each water district:

- Justification of how the proposed monitoring program characterizes operational spills to surface waters. Regional Board staff has suggested that at a minimum toxicity sampling should be performed by the districts.
- Clarification of the laboratory QA/QC.
- MRP Plan QAPP.

On 5 and 8 November 2004, staff received comments from each of the five water districts.

The water districts remain committed to monitoring only their operational spills, and to characterizing only waste discharges of pesticides applied to channels for maintenance activities. The water districts have stated that their canals receive very little tailwater from irrigated agriculture and Coalition Groups are responsible, not the districts, for monitoring agricultural discharges. Monitoring site selection was limited due to urban storm water inputs and NPDES discharges.

Staff is completing its review. Given the fact that the waiver for individuals was developed with individual farm operations in mind, application of this waiver to water district operation may not be a good fit. Staff will evaluate this as more information is provided by the five water districts.

MRP Plan Laboratory Audits

Staff has begun conducting reviews of Coalition Group monitoring programs. These reviews include an evaluation of both field and laboratory activities. The field review consists of evaluating sampling documentation including field notes, chain of custody records, and other sample information. The laboratory system audit portion of the program review involves assessing sample storage, holding times, sample preparation procedures, analytical procedures, and laboratory quality assurance programs (including laboratory data quality objectives). All of this information is part of the Irrigated Lands Waiver quality assurance requirements and is required to be included in Coalition Group MRP Plan QAPPs.

On 22 October 2004, Regional Board staff conducted an audit of the Kings River Sub-watershed Group MRP Program. The Kings River Sub-watershed Group is one of four sub-watershed groups that comprise the Southern San Joaquin Valley Water Quality Coalition (SSJWQC). Throughout the audit, staff from the Kings River Conservation District (KRCD) and a representative of the SSJWQC were available to answer questions or provide additional information as needed.

A follow-up email is expected to be sent shortly to the Coalition to describe the technical issues identified during the audit including questions with regard to sampling protocols and containers, contract laboratory sample handling, and clarification on analytical methods. Staff is working with the Coalition to resolve the technical issues

Other Program Activities

Irrigated Lands Voice Mail and E-Mail

Growers are increasingly using the Irrigated Lands Program voicemail and email systems to obtain information from staff about the program as well as contact information on Regional Board approved Coalition Groups in their geographic areas. Traffic on these systems increases immediately following mass education and outreach efforts by both the Regional Board and Coalition Groups. Staff estimates that on an average, over 20 requests for assistance or additional information via telephone or email are made on a weekly basis.

List Serve Update

Regional Board staff, in conjunction with State Board staff, has initiated an e-mail subscription service that provides interested parties electronic updates and notices regarding the Irrigated Lands Program and available grant opportunities. Parties are able to sign up through the Regional Board's website. As of 4 November, a total of 452 interested persons have signed up for this service.

Outreach Activities

Chairman Bob Schneider and Bill Croyle attended the Sacramento Valley Water Quality Coalition Meeting on 28 October 2004 in Colusa. They provided the Coalition leadership an update on various aspects of the Irrigated Lands Conditional Waiver Program.

Shakoora Azimi and Molly White attended the IACC meeting on 1 November 2004. Staff provided a status report on the Irrigated Lands Program. An update on Regional Board Phase I and Phase II monitoring and preliminary data were also presented.